

Amendment No. 1 to HB2304

Vaughan  
Signature of Sponsor

**AMEND Senate Bill No. 2526**

**House Bill No. 2304\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 45, Chapter 13, Part 2, is amended by adding the following as a new section:

(a) As used in this section, "remote location" means a location at which the employees of a licensee may conduct business other than a licensed location, the licensee's principal place of business, or a licensed branch office.

(b) Except as provided in subsection (c), this chapter does not prohibit an employee of a licensee from performing licensable activities at the employee's residence or another remote location in accordance with the licensee's written supervisory policies and procedures.

(c) A licensee may permit an employee to work at a remote location only under the following conditions:

(1) Access to licensee's platforms and customer information are in accordance with the licensee's comprehensive written information security plan;

(2) In-person customer interactions do not occur at the employee's residence unless the residence is a licensed location;

(3) Physical records are not maintained at the remote location;

(4) Customer interactions, data, and conversations about consumers comply with federal and state information security requirements, including 15 U.S.C. § 6802 and the Safeguards Rule established by the federal trade commission (16 CFR Part 314);

(5) The licensee employs appropriate risk-based monitoring and oversight processes and the employee that works from the remote location agrees to comply with the licensee's established processes;

(6) The licensee, at least once annually, certifies that the employee engaging in remote activity meets the appropriate standards and safeguards to continue remote activity; and

(7) If the employee is a mortgage loan originator, the National Mortgaging Licensing System (NMLS) record of the originator that works from the remote location designates the licensee's principal place of business as the originator's licensed location unless the originator elects to choose a licensed branch office as the originator's licensed location.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.